IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 5119 of 2004
Date of decision : 12.1.2007

Karan Amol Singh

.....Petitioner.

Versus

Habeeb & Ors.

.....Respondents.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr. Amit Jain,Advocate
for the petitioner.

Mr. Pankaj Gupta, Advocate
for the respondents.

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VINOD K. SHARMA,J.(ORAL)

The present revision petition has been filed against the order dated 17.9.2004 passed by the learned Addl. Civil Judge (Sr. Divn.), Jagadhri vide which an option was given to the petitioner herein to choose one sale deed out of the five sale deeds, challenged in a suit, in order to pursue his suit further.

The petitioner had filed a suit challenging various sale deeds in one suit. The sale deeds were also executed in favour of different defendants. The respondents herein moved an application for dismissal of the suit on plea of misjoinder of causes of action. The said application has been accepted by placing reliance on the judgment of the Hon'ble High Court reported as ***Sant Singh and Others Vs. Desh Ram and others AIR 1974 (P&H) 276.***

The learned counsel for the respondents has placed reliance on the decision of this Court in ***C.R. No. 3286 of 2004 titled Karan Amol Singh Versus Basta Singh & Ors. decided on 8.8.2006***. Though in the said case an option was given to the petitioner to select one of the sale deeds, however that relief is not required to be given to the petitioner herein as the learned trial Court has already given an option to the petitioner to choose one out of the five sale deeds, challenged in a suit, in order to pursue his suit further.

There is no error or illegality in the impugned order which may call for interference by this Court.

Dismissed.

12.1.2007. **(VINOD K. SHARMA)**
'sp' **JUDGE**